

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Panchayat Raj and Rural Development Department – Allegation of misuse of Gram Panchayat Funds of D.Gopavaram, Nidamarru Mandal, West Godavari District against Sri Ch.Appa Rao, the then Panchayat Secretary (retd)– Departmental proceedings under Rule 20 of the A.P.C.S.(C, C and A) Rules, 1991 r/w Rule 9 of A.P.R.P. Rules 1980, – Articles of Charges - Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.III) DEPARTMENT

G.O.RT.No. 359

Dated: 9/4/2015.
Read the following

1. From the DPO., West Godavari District Rc.No.4910/2014-A5 (pts) dated 14.11.2014.
2. G.O.Ms.No. 38, PR&RD(Vig.III) Deptt. Dated 9/4/2015

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ORDER :-

In pursuance of the sanction accorded by the Government under sub-clause (i) of clause (b) of sub-rule (2) of Rule 9 of the R.P.Rs.1980 for instituting departmental proceedings against Sri Ch. Appa Rao, the then Panchayat Secretary now retired, in the reference 2nd read above, it is proposed to hold an inquiry against the said Sri Ch. Appa Rao, the then Panchayat Secretary now retired, in accordance with the procedure laid down in Rule 20 of the A.P.C.S. (CCA) Rules, 1991. The enquiry shall be conducted by Government

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A Statement of the imputations of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-III&IV). Copies of documents are furnished herewith.

3. Sri Ch. Appa Rao, the then Panchayat Secretary, D.Gopavaram Gram Panchayat, Nidamarru Mandal, West Godavari District now retired is directed to submit within (10) days of the receipt of this order, a written statement of his defense.

4. Sri Ch.Appa Rao, the then Panchayat Secretary (Retd.) West Godavari district now retired from service is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

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5. Sri Ch. Appa Rao, is further informed that if he does not submit his written statement of defence on or before the date specified in para-3 above, or does not appear in person before the inquiry authority or other wise fails or refuses to comply with the provisions of Rules, 20 of the APCS (CCA) Rules, 1991, or the orders/directions issued in pursuance of the said rules, the inquiring authority may hold the inquiry against him exparte
6. The receipt of this order shall be acknowledged along with Annexure-I, II & III forthwith.

Dr.K.S.JAWAR REDDY,
SECRETARY TO GOVERNMENT.

To

Sri Ch. Appa Rao, the then Panchayat Secretary (Retd.) D.Gopavaram Gram Panchayat, Nidamarru Mandal, West Godavari district Through : The Commissioner, Panchayat Raj & Rural Employment, Hyderabad.
The Commissioner, Panchayat Raj & Rural Employment, Hyderabad.
The District Collector, West Godavari District.
The District Panchayat Officer, West Godavari District.
Stock File/Spare Copy.

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-I

Statement of Articles of Charge framed against Sri Ch. Appa Rao, formerly worked as Panchayat Secretary now retired Gram Panchayat, D.Gopavaram Gram Panchayat, Nidamaru Mandal, West Godavari District.

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Article :-1. That Sri Ch. Appa Rao, while functioning as Panchayat Secretary Gram Panchayat, D.Gopavaram, Nidamaru Mandal, West Godavari District, during years 2005-2006 to 2010-2011 now retired has committed serious irregularities in incurring expenditure and delay in remitting amount to G.P. Funds and allegation of improper utilization of grant sanctioned under unanimous election of Sarpanch to the G.P. etc. The said retired government servant remitted an amount of Rs.41,693/- to G.P. funds through (3) Chalan in 7/2014 after retirement on 30.6.2012. Thus Sri Ch.Appa Rao, by above mentioned acts has exhibited lack of integrity devotion to duty and conduct unbecoming of a Government servant and thereby contravened rule 3 & 4 of A.P.CS Rules, 1964

Article :II : That during the aforesaid period and while functioning in the aforesaid office, the said Sri Ch.Appa Rao, Pts. Secy. (retd.) has against Rs.5,00,000/- released by the Govt. to the Panchayat towards unanimous election of the Gram Panchayat an amount of Rs.3,51,650/- was spent on permanent structures during his incumbency and there is no accounts for balance amount by above mentioned acts has exhibited lack of integrity devotion to duty and conduct unbecoming of a Government servant and thereby contravened rule 3 & 4 of A.P.CS Rules, 1964

Dr. K.S. JAWAHAR REDDY
Secretary to Government

SECTION OFFICER.

ANNEXURE-II

Statement of imputations of misconduct or misbehavior in support of the articles of charge framed against Sri Ch.Appa Rao, formerly worked as Panchayat Secretary now retired Gram Panchayat, of D.Gopavaram, Nidamaru Mandal, West Godavari District..

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A complaint petition was received by the Government alleging that the audit party have raised several objections on the G.P. Funds of the D.Gopavaram Gram Panchayat and requested to enquire into the matter and take action against the concerned. Accordingly a detailed report has been called for from the DPO., West Godavari District. The D.P.O., in his letter dated 14.11.2014 has reported that Accounts of the D.Gopavaram Panchayat during the period 2005-2006 and 2010-11 there are certain audit objections and a report has been obtained from the DI.P.O., Eluru and as seen from the report the following objections are raised by the Audit Party against the Grama panchayat Accounts :-

1	Purchase of Electrical goods over and above 15% of the Grampanchayat Funds.	Rs.25,400
2	Rules not followed while drawing the amount for Indiramma Phase-I for Computerization	Rs. 4,850
3	Expenditure incurred on Advertise issued in daily news papers for development of Gram Panchayat	Rs.11,443
4	Amount not recovered from fish product in the year 2007-08	Rs.15,553
	Total	Rs.57,246

The D.P.O., has further reported that has against above audit objections the then Panchayat Secretary Sri Ch.Appa Rao, has remitted an amount of Rs.41,693/- to G.P.Accounts has detailed below :-

Sl.No.	Amount	Chelan No.	Date
1	Rs.11,443	12330	27.07.2014
2	Rs.25,400	12444	28.07.2014
3	Rs. 4,850	12444	28.07.2014

The D.P.O., has stated that with regard to Item No.4 of the Audit Object relating to Rs.15,553/- of fish ponds the G.P. vide resolution No.15, dated 20.10.2007 have resolved to confirm the rights of Catching fishes in the ponds to Water Committees. Hence, the G.P. has no power for realize the amounts from Fish Ponds.

Further, DPO., has reported that has alleged in the petition has against Rs.5,00,000/- sanctioned by the Govt. to the Gram Panchayat towards unanimous elections of Gram Panchayat, Sri Ch.Appa Rao, the then Pts. Secy., during his tenure has spent an amount of Rs.3,51,650/- towards permanent structure and he is not rendered details of the expenditure incurred for the remaining amount and he has been called for to give a details to the Panchayat.

The remittance of the Rs.41,963/- relating to the period of 2005-06 to 2010-11 in July, 2014 after his retirement on 30.06.2012 shows that he has temporarily misappropriated G.P. Funds for his selfish gains and remitted the amount to the Govt. Account only after receipt of the complaint and enquiry into the matter. Had there may not be any complaint or enquiry he would have not remitted the amount into the Govt. Account and this misappropriation of funds would have not come to the notice of the government. Even after retirement in 30.06.2012 he has not submitted the details of the expenditure incurred on permanent structure for the balance amount of Rs. 1,48,350/- to Gram Panchayat even till today which amounts to misutilization of the funds. Hence, the Charges.

Dr. K.S. JAWAHAR REDDY
Secretary to Government

SECTION OFFICER.

ANNEXURE-III

List of documents by which the articles of charge framed against Sri Ch.Appa Rao, formerly worked as Panchayat Secretary retired, D.Gopavaram Gram Panchayat, Nidamaru Mandal, West Godavari District are proposed to be sustained.

1. Complaint petition.
2. DPO., Letter No Rc.No.4910/2014-A5, dated 14.11.2014. Read with DI.P.O.,Eluru , Rc.No.248/2011/A3, dt.19.07.2012.

Dr. K.S. JAWAHAR REDDY
Secretary to Government

SECTION OFFICER.

ANNEXURE-IV

List of witnesses by whom the articles of charge framed against Sri Ch.Apparao, Panchayat Secretary,(retd.) D.Gopavaram Gram Panchayat, Nidamaru Mandal, West Godavari District are proposed to be sustained.

1. Panchayat Secretary, D.Gopavaram..
2. DI.P.O., Eluru.
3. D.P.O., Eluru.

Dr. K.S. JAWAHAR REDDY
Secretary to Government

SECTION OFFICER.